



KENAI PENINSULA BOROUGH

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**DAVID R. CAREY
BOROUGH MAYOR**

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: David R. Carey, Mayor *DK Carey*

FROM: Doug Schoessler, Roads Director *D Schoessler*

DATE: September 8, 2011

SUBJECT: Ordinance 2011-36, amending KPB 14.40.155 to clarify road closures

KPB 14.40.155 allows the Road Service Area (RSA) director to temporarily close roads where damage to the right-of-way or a threat to public safety is presented by continued use of the road. The proposed amendments to KPB 14.40.155 expand the RSA director's options for closing roads and rights-of-way without roads, and as a check and balance, provides for RSA Board input for a closure lasting more than six months.

Various roads in the borough are periodically closed on a temporary basis due to flooding or other conditions that present a threat to road traffic. As written KPB 14.40.155 adequately addresses this common need. However, other circumstances also present a need for both road and right-of-way closures that KPB 14.40.155 does not currently address. For example some rights-of-ways within the borough are undeveloped and cross anadromous streams. Off-road vehicles commonly travel some of these rights-of-way and cross sensitive riparian habitat and water bodies. This ordinance would allow the RSA to close the rights-of-way to various forms of traffic that are causing riparian or water body habitat degradation until the right-of-way is developed in a way that alleviates the damage.

Your consideration is appreciated.